

### **REMARKS**

Applicant appreciates the time taken by the Examiner to review Applicant's present application, and the consideration given the previous arguments. This application has been carefully reviewed in light of the Official Action mailed December 27, 2005. Claims 1, 2, 4-11 and 13-22 remain pending in the application. Applicant respectfully requests reconsideration and favorable action in this case.

### **Rejections under 35 U.S.C. § 103**

Claims 1, 2, 4-11 and 13-22 stand rejected as obvious over U.S. Patent No. 6,199,067 ("Geller") in view of Applicant's Admitted Prior Art ("AAPA") and further in view of U.S. Patent No. 6,757,740 ("Parekh").

In order to establish a prima facie case of obviousness, the Examiner must show: that the prior art references teach or suggest all of the claim limitations; that there is some suggestion or motivation in the references (or within the knowledge of one of ordinary skill in the art) to modify or combine the references; and that there is a reasonable expectation of success. M.P.E.P. 2142, 2143; In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Applicant respectfully submits that there is no suggestion or motivation to combine the references and, in fact, the references teach away from such a combination. Accordingly, withdrawal of this rejection is respectfully requested.

### **Independent Claims 1 and 10**

Independent Claim 1, as amended, recites accessing first data including a first identifier associated with a user, network addresses accessed by the user and temporal information related to the user identifier and the network addresses, wherein the first data is determined at a first location remote from the user, accessing second data at a second location remote from the user and the network addresses, wherein accessing the second data further comprises sending at least some of the network addresses to the second location and receiving corresponding category information for each of the at least some network addresses, the corresponding category information including at least one meta tag and generating a user profile based at least in part on the first identifier, corresponding category information, and at least some of the temporal information. Claim 10 recites similar limitations.

### **Overview of the Invention**

Thus, embodiments of the present invention may generate a user profile based on the user's interests by allowing a user to "surf" a network on a client computer while a remote location, such as a server computer responsible for routing user requests, determines information ("first data") relating to the surfing user, such as a user identifier, temporal information related to the user identifier, network addresses accessed and timestamps. This remote location may then store this information in a table to which it has access. The user may then be routed to any of the intended network destinations or addresses. Using this first data, specifically network addresses associated with the first data, category information corresponding to these network addresses can be accessed using second data which includes network addresses and corresponding category information. Based on the first user identifier, the category information obtained via accessing the second data, and at least some of the temporal information, a user profile can be generated. Consequently, information may be gathered on a user without any involvement of a client computer, including programs executing on the client computer whose purpose it is to collect user information and send this information to the remote location.

Additionally, embodiments of the present invention may allow the creation of a user profile based solely on the click stream (e.g. network addresses) generated by a user, without having to rely on information provided by the user, information at the network site specified by the address or information in an HTTP stream.

### **Geller**

Geller, in contrast, generate user profiles for performing adaptive Internet or computer data searches to assist a user in locating requested data that corresponds to a user's cultural educational, professional and social backgrounds. (See, Geller, Technical Field of the Invention, Col. 3, Lines 26-30) Particular linguistic patterns and their frequencies of occurrence are extracted from texts provided by a user and stored in a user profile data file. The texts from which linguistic patterns are extracted may be provided directly by users, may be determined by monitoring the time a user spends viewing a particular text item or by utilizing the favorites section of the User's browser. (See, Geller, Col. 11 Lines 29-25, 54-65, Col. 12, Lines 13-20).

The user profile data file thus comprises linguistic patterns and their representative frequencies (See, Geller Col. 3, Lines 60-68) and, is consequently representative of the user's social, educational and cultural background, as well as the user's psychological profile. (See, Geller Col. 9, Lines 50-55).

Data item profiles may also be created from data items which may be searched by the user. Each of these data item profiles comprise linguistic patterns occurring in the corresponding data item and the frequencies of occurrence of these linguistic patterns. (See, Geller Col. 17, Lines 1-8).

When a search for particular data is initiated by the user, linguistic patterns are extracted from a search string provided by the user into a search profile. The user profile is then cross matched with the search profile and document (e.g. data item) profiles to determine whether any linguistic patterns match all three profiles and to determine the magnitude of the match. (See. Col. 4, Lines 1-12).

#### **Motivation to Combine**

Applicant respectfully submits that not only is there no suggestion or motivation to combine the Geller and AAPA references in either of the references, and that the references teach away from such a combination.

The Examiner states that it would have been obvious to provide a categorization of each internet site such that the user's top categories of interest can be determined by matching the meta tags of the web sites along with temporal, user's identifier and among other matching patterns as taught by Geller. Applicant respectfully disagrees.

The user profile created by Geller comprises particular linguistic patterns and their frequencies of occurrence to enable Geller to match the user profile to data item profiles which themselves comprise particular linguistic patterns and their frequencies of occurrence such that requested data can be located which matches a user's professional, cultural, educational and social backgrounds (See, Geller Col. 3, Lines 16-20). Thus, the user profile of Geller is designed almost solely for matching linguistic patterns. Consequently, the user profile does not need to maintain the location or the subject of the locations from which the linguistic patterns it contains were extracted.

More specifically, the user profile of Geller does not contain any network addresses from text items which were used to generate these linguistic patterns, nor would the system of Geller be enhanced by such inclusions, as a user profile comprising such network addresses would not aid in matching linguistic patterns of a data item such that data can be located which matches a user's professional, cultural, educational and social backgrounds. Similarly, including category information (e.g. meta tags) in the user profile, where the category information corresponds to the subject matter of the text items from which these linguistic patterns were obtained, would likewise be useless to the system of Geller, as the category information would not enhance the ability of Geller to match linguistic patterns between the user profile and a data item.

In fact the inclusion and utilization of category information would most likely reduce the efficacy of Geller. More specifically, category information is far broader and more general than linguistic matching and thus sites provided to a user based on category information would most likely be far more general than those provided using the linguistic pattern matching of Geller. As disclosed in the background of Geller advance searches only provided users with search results that depend on the search string entered by the user. The system of Geller desires to not only provide data matching a user's request but additionally data that corresponds to the user's professional, educational, and social background. As can be seen then, the use of category information in conjunction with the user profile of Geller would actually result in less specific data being provided to a user, thus rendering Geller less effective for its intended purpose.

As the Geller reference formulates user profiles using linguistic patterns for the purpose of assisting a user in locating requesting data that more closely matches a user cultural, educational etc. background, and the inclusion of the category information disclosed in the AAPA would not aid in accomplishing the stated goal of Geller, and may even hinder this goal, there is no motivation to combine the Geller reference and the AAPA, and indeed the Geller reference teaches away from the use of such a combination.

Accordingly Applicant respectfully requests the withdrawal of the rejection of Independent Claims 1 and 10.

**Dependent Claims 2, 4-9, 11 and 13-22**

As Claims 2, 4-9, 11 and 13-22 depend from with Claim 1 or Claim 10 Applicant respectfully submits that the above arguments presented with respect to Claim 1 applies equally well to these claims. Consequently, withdrawal of the rejection of Claims 2, 4-9, 11 and 13-22 is respectfully requested as well.

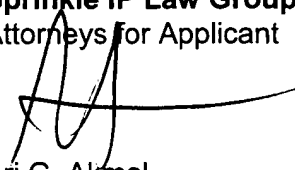
**CONCLUSION**

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1, 2, 4-11 and 13-22. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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